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STATUTORY INSTRUMENTS

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**2010 No. 2955**

The Family Procedure Rules 2010

PART 7

PROCEDURE FOR APPLICATIONS IN MATRIMONIAL  
AND CIVIL PARTNERSHIP PROCEEDINGS

CHAPTER 3

HOW THE COURT DETERMINES MATRIMONIAL  
AND CIVIL PARTNERSHIP PROCEEDINGS

**Applications for a decree nisi or a conditional order**

**7.19.**—(1) An application may be made to the court for it to consider the making of a decree nisi, a conditional order, a decree of judicial separation or a separation order in the proceedings—

- (a) at any time after the time for filing the acknowledgment of service has expired, provided that no party has filed an acknowledgment of service indicating an intention to defend the case; and
- (b) in any other case, at any time after the time for filing an answer to every application for a matrimonial or civil partnership order made in the proceedings has expired.

(2) An application under paragraph (1) may be made—

- (a) in a case within paragraph (1)(a), by the applicant; and
- (b) in any other case, by either party to the marriage or civil partnership in question.

(3) An application under this rule must, if the information which was required to be provided by the application form is no longer correct, be accompanied by a statement setting out particulars of the change.

(4) If neither party has filed an answer opposing the making of a decree nisi, a conditional order, a decree of judicial separation or a separation order on the other's application, then an application under this rule must be accompanied by an affidavit—

- (a) stating whether there have been any changes in the information given in the application or in any statement of arrangements for children;
- (b) confirming that, subject to any changes stated, the contents of the application and any statement of arrangements for children are true; and
- (c) where the acknowledgment of service has been signed by the other party, confirming that party's signature on the acknowledgment of service.